FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

Second Appeal No. 62/2007

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : Smt. V. A. Naik, J.
DATED : April 9, 2007.

Heard Shri Kurekar for the appellants.

The appellants are the original plaintiffs. A suit was filed by the plaintiffs for a declaration that the plaintiffs are the owners of the suit property and are entitled to possession of the same. All the defendants, except the defendant no.1, denied the claim of the plaintiff and pleaded that the suit property was recorded in the name of the predecessor-in-title of the defendants. According to the defendants, plaintiffs were not entitled to possession of the suit property.

Both the Courts have concurrently held that the plaintiffs have failed to prove that they were the owners of the suit property and were entitled for a decree of permanent injunction as prayed by them. The Courts consequently dismissed the suit filed by the plaintiffs for grant of possession and permanent injunction.

The findings recorded by both the Courts are pure findings of fact which do not give rise to any substantial question of law. Second appeal is, therefore, dismissed with no order as to costs.

JUDGE

RMP